

BEFORE THE
POSTAL REGULATORY COMMISSION
WASHINGTON, D.C. 20268-0001

COMPETITIVE PRODUCT PRICES
EXPRESS MAIL & PRIORITY MAIL CONTRACT 8 (MC2009-33)
NEGOTIATED SERVICE AGREEMENT

Docket No. CP2009-44

**MOTION OF THE UNITED STATES POSTAL SERVICE
FOR TEMPORARY RELIEF**
(November 5, 2012)

In Order No. 1478, issued September 25, 2012, the Commission granted the Postal Service's request for a temporary extension of the contract in the instant docket, until November 9, 2012. The Postal Service and the customer have been working diligently to reach a new agreement to avoid any interruption in the Postal Service's ability to provide this customer access to negotiated rates. However, the Postal Service and the customer have been unable to reach an agreement on a new contract in time to file it with the Commission more than 15 days prior to the expiration date.

Nevertheless, the Postal Service expects to have a signed replacement contract ready to file with the Commission within the next week. Because of the timing of the regulatory process, there will be a window between the expiration of the existing contract in this docket and the effective date of the new contract, while the Commission completes its review. Thus, the customer continues to face the prospect of an interruption in its access to negotiated rates as a result of the processes that it must participate in when it does business with the Postal Service, rather than with one of the Postal Service's competitors.

To avoid this result, the Postal Service respectfully requests that the Commission grant an additional thirty (30) day extension to allow the existing contract to remain in effect until such time as the Commission is able to complete its review of the new agreement. Thus, the proposed extension would only last for a finite and relatively short period of time. The Postal Service recognizes the Commission's directive in Order No. 1523 (November 1, 2012), that future motions for relief must be filed at least seven days prior to a contract's expiration date. However, the Postal Service was unable to file the instant motion on Friday, November 2, the day after Order No. 1523 was issued, because of the press of other business. Going forward, the Postal Service fully intends to provide the Commission with at least seven days to review future motions for relief.

In conclusion, for the reasons discussed above, and in consideration of the customers' business continuity, the Postal Service hereby moves for temporary relief to allow the existing contract to remain on the competitive products list for thirty additional days.

Respectfully submitted,

UNITED STATES POSTAL SERVICE
By its attorneys:

Daniel J. Foucheaux, Jr.
Chief Counsel, Pricing and Product Support

Elizabeth A. Reed

475 L'Enfant Plaza West, S.W.
Washington, D.C. 20260-1137
(202) 268-3179, Fax -6187
elizabeth.a.reed@usps.gov
November 5, 2012